

**CALFRESH REQUEST FOR POLICY INTERPRETATION****PI# 17-100**

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Retain a copy for your records and submit via email to CalFresh-PI@dss.ca.gov.

**Please note:** the policy interpretation provided is based on the unique set of facts presented and should not be assumed to apply in all scenarios.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Other:		5. DATE OF REQUEST: 11/27/2017	NEED RESPONSE BY: 12/04/2017
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION: STATE HEARING DIVISION	
3. PHONE NO.:      EMAIL:		7. SUBJECT: SSP and receipt of Calfresh	
4. REGULATION CITE(S):		8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). All County Letter 17-09	

## 9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

The county seeks to establish a CalFresh overissuance against the claimant, based on the claimant receiving SSP and being ineligible for benefits he received. The county presented Title XVI SSI/SSP information stating the claimant is eligible for \$0 SSI and \$50.72 SSP. The information states the amount being paid is \$0 SSI and \$0 SSP. The county stated it believed the claimant's SSI/SSP was in suspended status so it authorized CalFresh. The county stated it learned the claimant's SSP is being paid but is withheld to collect a Social Security overpayment.

QUESTION: If an SSP recipient is not actually receiving any SSP payments due to payments being withheld to collect a Social Security overpayment, is that person eligible for CalFresh so long as all other eligibility criteria have been met?

## 10. REQUESTOR'S PROPOSED ANSWER:

All County Letter 17-09 states: For the purpose of this letter, the terms "interrupted" and "suspended" as they relate to SSI benefits have the same meaning. SSI benefits are interrupted or suspended when a recipient has not received an SSI payment regardless of the reason.

Policy Change

Effective immediately, individuals who are not receiving an SSI payment are eligible for CalFresh so long as all other eligibility criteria have been met. This includes individuals who are in SSI suspense status. Individuals receiving an SSI payment continue to be ineligible for CalFresh.

Here, the claimant/recipient has not received a SSP payment and under the language of ACL 17-09, regardless of the reason for this non-receipt, he is eligible for CalFresh so long as all other eligibility criteria have been met.

## 11. STATE POLICY RESPONSE (CFPB USE ONLY):

Based on the information provided in the scenario above, the individual may be eligible for CalFresh benefits if the SSI payment is either suspended or interrupted. Per ACL 17-09, in order to determine whether the client's SSI benefits are suspended or interrupted, the payment status code cannot be C01 (current pay) or M02 for a given month. Any other payment status code indicates the client's SSI benefits have either been suspended or interrupted. Note that Payment Status Code M02 does not indicate payment status. If the Payment Status Code M02 is present, CWDs must determine whether there is a payment amount associated with that particular month.

**FOR CDSS USE**

DATE RECEIVED:

11/30/2017

DATE RESPONDED TO COUNTY/ALJ:

12/04/2017RA